



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA FIRST CLASS MAIL

SEP 1 7 2009

**Michael J. Williams
Fincher Denmark & Williams LLC
2262 Mount Zion Road
Jonesboro, GA 30236**

**RE: MUR 6182
David Scott for Congress**

Dear Mr. Williams:

On April 2, 2009 the Federal Election Commission notified your clients, David Scott for Congress ("Committee") and Henry Aaron, as Treasurer of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On September 8, 2009, the Commission found, on the basis of the information in the complaint, and information provided by you, on behalf of your client, that there is no reason to believe the Committee violated the Federal Election Campaign Act of 1971, as amended. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive General Counsel's Report is enclosed for your information.

If you have any questions, please contact Frankie D. Hampton, the paralegal assigned to this matter, at (202) 694-1650.

Sincerely,

**Thomasenia P. Duncan
General Counsel**

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", written over the typed name and title.

**BY: Jeff S. Jordan
Supervisory Attorney
Complaints Examination and
Legal Administration**

**Enclosure
General Counsel's Report**

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AUG 21 2009

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 6182

ANDRE WALKER

DAVID SCOTT FOR CONGRESS

AND HENRY AARON, AS TREASURER

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CASE CLOSURE UNDER THE
ENFORCEMENT PRIORITY SYSTEM

GENERAL COUNSEL'S REPORT

Under the Enforcement Priority System, matters that are low-rated

are

forwarded to the Commission with a recommendation for dismissal, or in certain cases where the complaint is speculative in nature, a no reason to believe finding.

The complainant, David Knox, states that a blogger, Andre Walker, supported the re-election of Congressman David Scott, who represents Georgia's Thirteenth Congressional District, by posting certain information favorable to the candidate to his blog called Georgia Politics Unfiltered (<http://georgiaunfiltered.blogspot.com>). Specifically, the complainant notes that the financial disclosure reports filed by David Scott for Congress and Henry Aaron, in his official capacity as treasurer ("the Committee"), reveal that the Committee paid Mr. Walker a total of \$2,950 for "Internet Consulting" between October 2007 and July 2008,¹ and, therefore, Mr. Walker's blog should have disclosed the payments by placing a disclaimer on the blog, pursuant to the Federal Election Campaign Act of 1971, as amended ("the Act").

In response, Mr. Walker stated that his blog, which he asserts began in 2005, covered federal, state, and local issues, including interviews with Mr. Scott's general election opponent, Deborah Honeycutt, as well as Congressman Scott's re-election campaign. While Mr. Walker

¹ The Committee's reports disclose that Mr. Walker was paid \$700 in October 2007 and \$250 per month thereafter from November 2007 through July 2008.

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1 did not deny receiving disbursements from the Committee, he stated that they were for work he
2 performed, independent of his blog, to modernize the Committee's website at
3 www.davidscottforcongress.com. Finally, Mr. Walker denied that the Committee had provided
4 funding for the blog.

5 The Committee, in its response, acknowledged that it had contracted with Mr. Walker for
6 internet consulting services primarily related to developing, constructing and maintaining its
7 campaign website, and included a copy of an invoice from Mr. Walker for \$250, for "monthly
8 web maintenance." The Committee also denied that the disbursements described in the
9 complaint were related to Mr. Walker's blog, or that the blog focused primarily on Congressman
10 Scott, but instead stated that it covered a wide variety of national, state and local activities.
11 Finally, the Committee denied that Mr. Walker has ever been its official publicist, spokesperson
12 or representative, and included a sworn affidavit from Congressman Scott reiterating that his
13 committee had paid Mr. Walker solely for his work on the campaign website.

14 Based on the speculative nature of the complaint, the responses, including Congressman
15 Scott's sworn affidavit, and the fact that the Committee's disbursements to Mr. Walker appear to
16 be reasonable reimbursements for services rendered, we recommend that the Commission find
17 that there is no reason to believe that Mr. Walker or the Committee violated the Act.

18 **RECOMMENDATIONS**

- 19 1. Find no reason to believe that Andre Walker violated the Federal Election Campaign Act
20 of 1971, as amended.
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22 2. Find no reason to believe that David Scott for Congress and Henry Aaron, in his official
23 capacity as treasurer, violated the Federal Election Campaign Act of 1971, as amended.
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25 3. Close the file and send the appropriate letters.

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Thomasenia P. Duncan
General Counsel

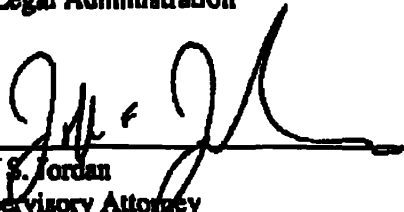
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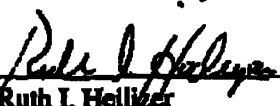
BY:



Gregory R. Baker
Special Counsel
Complaints Examination
& Legal Administration



Jeff S. Jordan
Supervisory Attorney
Complaints Examination
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Ruth L. Hellizer
Attorney
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